

REMARKS

The Examiner objected to claim 3, stating "In claim 3, the examiner suggests applicants to insert the period (".") at the end of the claim. Appropriate correction is required." In response Applicants have sop amended claim 3.

The Examiner rejected claim 1-3, 10-12, 19-22 and 24 under 35 U.S.C. §102(b) as being unpatentable over Yu et al. (United States Patent 6,013,570).

The Examiner rejected claims 4, 13 and 23 under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Vahedi et al. (United State Patent 6,316,169).

The Examiner rejected claims 8, 17 and 27 under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Meikle. (United State Patent 5,942,440).

The Examiner rejected claims 9, 18 and 28 under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Nakatani. (United State Patent 6,446,641).

The Examiner rejected claims 29-32 and 34 under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Couteau et al. (United State Patent 6,352,867).

The Examiner rejected claim 33 under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Couteau et al in further view of Vahedi et al.

The Examiner has stated that " claims 5-7, 14-16, and 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicants gratefully acknowledge the Examiner's indication of allowable subject matter. Applicants have believe the Examiners objection to claims 5-7 and 14-16 are moot in light of Applicants amendment of claims 5-7 and cancellation of claims 14-16.

In view of the Examiner's earlier restriction requirement, Applicants retain the right to present canceled claims 35-43 in a divisional application.

Applicants respectfully traverse the §102(b) of claim 19 and §103(a) rejection of claim 29 with the following arguments.

35 USC § 102

As to claim 19, the Examiner states that "Yu teaches to form a gate dielectric layer (306) on the top of the substrate and forming polysilicon layer (304) over the gate dielectric" Applicants believe the Examiner also intended to include the rejection criteria cited for claim 1, in the rejection of claim 19, namely: "Yu teaches a method comprising the steps of: forming a patterned hard mask layer (312) over a polysilicon (304) layer (fig 3b); patterning the polysilicon layer to provide a hard mask-capped polysilicon line having a first width (W1) (Fig 3C, col 7 lines 1-5); isotropically removing portions of the polysilicon line to a second width (Fig 3E, col. 7 lines 8-18)."

Applicants contend that claim 19, as amended, is not anticipated by Yu et al. because Yu. et al. does not teach each and every feature of claim 19. As a first example Yu et al. does not teach "isotropically removing portions of the polysilicon electrode to a second width by converting a surface layer of said polysilicon line to an oxide layer and isotropically etching said oxide layer." Applicants respectfully point out that the limitation "converting a surface layer of said polysilicon line to an oxide layer and isotropically etching said oxide layer" has been stated to be patentable by the Examiner.

Based on the preceding arguments, Applicants respectfully maintain that claim 19 is not unpatentable over Yu et al. and is in condition for allowance. Since claims 20 and 22-27 depend

from claim 19, Applicants respectfully maintain that claims 20 and 22-27 are likewise in condition for allowance.

35 USC § 103 Rejections

As to claim 29, the Examiner states that "Yu fails to teach the step of comparing the first width to a target width and determining a variation, calculating the etching time and then performing the etching for the calculated time. Couteau teaches to compare the width and determining the variation in the width of the gate, calculating the etching time and then performing the etching for the calculated time (Fig 4). It would have been obvious to one having ordinary skill in the art, at the time of invention, to modify Yu in view of Couteau by implementing the above steps since these steps will allow us to control the feature size of the electrode."

Applicants contend that claim 29, as amended, is not obvious in view of Yu et al. in view of Couteau et al. because Yu et al. in view of Couteau et al. does not teach or suggest every feature of claim 29. As a first example, Yu et al. in view of Couteau et al. does not teach or suggest "calculating a number of polysilicon oxidation/isotropic polysilicon oxide etch cycles based on said delta" and in a second example, Yu et al. in view of Couteau et al. does not teach or suggest "performing the calculated number of polysilicon oxidation/isotropic polysilicon oxide etch cycles." Applicants respectfully point out that Yu et al. in view of Couteau et al. teaches only determining a wet etch time and not a number of polysilicon oxidation/isotropic polysilicon oxide etch cycles.

Based on the preceding arguments, Applicants respectfully maintain that claim 29 is not unpatentable over Yu et al. in view of Couteau et al. and is in condition for allowance. Since

claims 30-34 depend from claim 29, Applicants respectfully maintain that claims 30-34 are likewise in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that claims 2-4, 6-8, 19, 20, 22-27, 29-30 and 44-65 meet the acceptance criteria for allowance and therefore request favorable action. If Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invite the Examiner to contact the Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Respectfully submitted,
FOR: Grant et al.

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